

**803 KAR 1:030. Hearings on prevailing wage determinations.**

RELATES TO: KRS 337.505-337.550

STATUTORY AUTHORITY: KRS 337.520(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 337.520(1) grants the commissioner the authority to make and revise such rules and administrative regulations as he may deem appropriate to carry out the provisions and purposes of KRS 337.505 to 337.550. The function of this administrative regulation is to set up procedures for any interested person requesting a hearing to be held for the purpose of making or revising a prevailing wage determination.

Section 1. For purposes of KRS 337.505 to 337.550 "any interested person" shall mean:

- (1) Any public authority in the locality where the hearing is held.
- (2) Any contractor eligible by law to bid on public works construction.
- (3) Any association or group representing contractors eligible by law to bid on public works construction.
- (4) Any labor organization representing a class, trade or group of workers within the locality where the hearing is held, which class, trade or group will be affected by the prevailing wage determination of the commissioner.
- (5) Any class, trade, or group of nonunion workers in the locality which will be affected by the prevailing wage determination of the commissioner.

Section 2. Any interested person may request a hearing for the purpose of making or revising a prevailing wage determination by notifying the commissioner in writing stating the locality he wants a hearing held in. The commissioner or his authorized representative will conduct said hearing within a reasonable time. The commissioner in determining what rates of wages prevail shall consider the criteria set forth in KRS 337.520(3)(a), (b) and (c).

Section 3. Upon completion of the aforementioned hearing, the commissioner or his authorized representative shall announce to those present that any interested person who wishes a copy of the commissioner's determination shall notify the commissioner or the Department of Workplace Standards in writing within ten (10) days of the completion of said hearing.

Section 4. Upon completion of the prevailing wage determination, the commissioner shall immediately send copies of said determination to all those interested persons requesting copies pursuant to Section 3 of this administrative regulation. (LAB-3; 1 Ky.R. 49; Am. 119; eff. 11-13-74.)